

2-15-05

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Betz, et al.	:	Examiner:	Unassigned
Serial No.:	10/656,781	:	Art Unit:	1614
Filed:	September 5, 2003	:	Docket No.:	B185 1230.1 (MSC 8016)
For:	Methods and Compositions for Treating Herpes Infections	:		

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby voluntarily disclose the additional five (5) references listed on the attached Form PTO-SB-08 to the Commissioner for Patents. Copies of the references listed on Applicants' Form PTO-SB-08 are enclosed herewith. Each item of information submitted with this Second Supplemental Information Disclosure Statement was first cited in communications from foreign patent offices in counterpart foreign applications not more than three months prior to the filing of the information disclosure statement. A copy of the European Patent Office's Partial International Search Report citing the references is also enclosed.

Document F1 is a Russian language document having an English language abstract which appears to indicate that the document discusses preparation of a human antiherpetic preparation from precipitate B formed at alcohol separation of plasma blood from native nonvaccinated donors containing initially high antibody content to the simplex herpes virus. No equivalent English specification appears to be readily available at this time.

Applicants further reserve the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that some

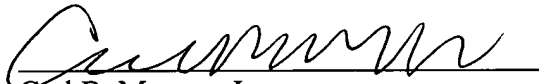
of the cited information may not be prior art, and/or to prove that some of the cited information may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that a search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of all available information, and to form independent opinions as to its significance.

It is respectfully requested that the Examiner initial and return copies of the enclosed PTO-SB-08 and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

Respectfully submitted,

Date: Feb 14, 2005



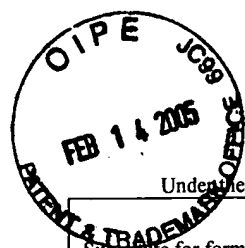
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Docket: B185 1230.1 (MSC 8016)

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PTO/SB/08A (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO  <b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/656,781
				Filing Date	09-05-03
				First Named Inventor	Betz, <i>et al.</i>
				Art Unit	1614
				Examiner Name	Unassigned
Sheet	1	of	2	Attorney Docket Number	B185 1230.1 (MSC 8016)



PTO/SB/O8B (08-03)

Approved for use through 7/31/2006. OMB 0651-0031

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<b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		<b>Application Number</b>	10/656,781		
		<b>Filing Date</b>	09-05-03		
		<b>First Named Inventor</b>	Betz, <i>et al.</i>		
		<b>Art Unit</b>	1614		
<b>Examiner Name</b>	Unassigned				
<b>Sheet</b>	2	<b>of</b>	2	<b>Attorney Docket Number</b>	B185 1230.1 (MSC 8016)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or county where published.	T <sup>2</sup>
	D1	Bogges, K.A., <i>et al.</i> , "Herpes simplex virus type 2 detection by culture and polymerase chain reaction and relationship to genital symptoms and cervical antibody status during the third trimester of pregnancy," <i>Am. J. Obstet. Gynecol.</i> , 176(2): 443-451 (1997).	
	D2	Corbino, N., <i>et al.</i> , "The role of anti-herpes specific serum IgA levels as a marker in cervical oncogenesis," <i>Eur. J. Gynaec. Oncol.</i> , 10(2): 103-108 (1989).	
	D3	Habeeb, A.F.S.A., and R.D. Francis, "Preparation of human immunoglobulin free of plasmin and anticomplement activities," <i>Vox Sang.</i> 32(3): 143-158 (1977).	
	D4	Leibl, H., <i>et al.</i> , Method for the isolation of biologically active monomeric immunoglobulin A from a plasma fraction," <i>Journal of Chromatography B.</i> , 678(2): 173-180 (1996).	
	D5	European Patent Office Partial International Search Report (PCT/US2004/028559, dated 09 December 2004).	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



## EXPRESS MAIL CERTIFICATE

Express Mail" mailing label number : EL 983 775 054 US

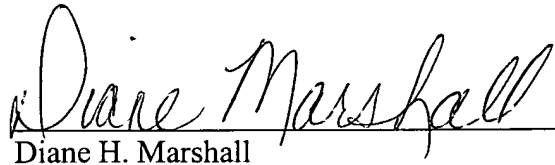
Date of Deposit : February 14, 2005

Type of Documents : Second Supplemental Information  
Disclosure Statement (2 pages);  
  
Form PTO-SB-08A (2 pages), with  
references:  
1 Foreign Patent Document;  
5 Non Patent Literature Documents;  
  
and Return Postcard

Serial No. : 10/656,781

Filing Date : September 5, 2003

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 (signature)  
Diane H. Marshall